



**DAVID DOUGLAS WINTERS**

B.S., M.S., D.L.L., J.D.  
PATENT ATTORNEY

*IFW*

November 8, 2005

United States Patent and Trademark Office  
Commissioner for Patents  
ATTN: Diego F. F. Gutierrez, Supervisory Examiner  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Re: Memo of Telephone Conversation  
Our file reference: 030716 (R) Richter

Dear Mr. Gutierrez:

Enclosed, please find for your files a record of the telephone conversation between Patent Attorney, David Douglas Winters and Supervisor Examiner Diego F. F. Gutierrez.

Thank you for your time and intellect.

Very respectfully,

David Douglas Winters  
USPTO reg. # 50,746

Enclosures: 1

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Record of Telephone Conversation

FROM: David Douglas Winters, USPTO reg. # 50,746  
931-906-4445

TO: USPTO Supervisory Examiner,  
Diego F. F. Gutierrez  
Art Unit: 2859

SUBJECT: Office Action Confirmation # 5101 mailed: 6-28-05

WITH REFERENCE TO: US App # 10/772,039 (Richter et al)  
Docket # 030716 (R) Richter

ATTORNEY WINTERS: Informal fax correspondence is in progress with examiner Tania Courson, who is now on maternity leave. She indicated we were very close to agreed allowance at last fax.

I sent the last fax on 07 Oct 2005. No response yet received. 90 day due date is now past. In order to meet next response deadline, I propose to terminate the present informal procedure and submit a formal response based on the most recent fax exchange, in expectation of allowance.

EXAMINER GUTIERREZ: Concur with your plan. That will give the new examiner time to get up to speed on your file.

Please phone me about 1 month after submission to review status.

Very respectfully,

David Douglas Winters  
USPTO reg. # 50,746

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